

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	2:24-cv-10410-CAS-BFMx	Date	December 6, 2024
Title	Joseph Evaristo et al. v. Aina Dumlao et al.		

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang
Deputy Clerk

Not Present
Court Reporter / Recorder

N/A
Tape No.

Attorneys Present for Plaintiffs:
Not Present

Attorneys Present for Defendants:
Not Present

Proceedings: (In Chambers) - ORDER TO SHOW CAUSE RE: SUBJECT MATTER JURISDICTION

On April 23, 2024, plaintiffs Joseph Evaristo and Catherine Evaristo, as Trustees of the Evaristo Family Trust (“plaintiffs”), filed this unlawful detainer action against defendants Aina Dumlao, Bru Muller, and Does 1 to 10 (“defendants”) in Los Angeles County Superior Court. Dkt. 1 at 14. Defendant Aina Dumlao removed the case to this Court on December 3, 2024. Id. at 2. Defendant Aina Dumlao asserts that this Court has jurisdiction on the basis of a federal question. Id. (citing 28 U.S.C. § 1331 and § 1446).

It appears that this Court lacks subject matter jurisdiction over this action. The law is clear that “[u]nlawful detainer actions are strictly within the province of state court.” Federal Nat’l Mort. Assoc. v. Suarez, 2011 U.S. Dist. LEXIS 82300, *6 (E.D. Cal. Jul. 27, 2011); Deutsche Bank Nat’l Trust Co. v. Leonardo, 2011 U.S. Dist. LEXIS 83854, *2 (C.D. Cal. Aug. 1, 2011) (“[T]he complaint only asserts a claim for unlawful detainer, a cause of action that is purely a matter of state law.”).

Here, the only claim asserted by plaintiffs is for unlawful detainer against defendants. See dkt. 1 at 14. Accordingly, defendants are hereby ORDERED TO SHOW CAUSE, in writing, on or before **December 23, 2024**, why this case should not be remanded to Los Angeles County Superior Court.

IT IS SO ORDERED.

Initials of Preparer

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CMJ